

**GOVERNMENT OF TELANGANA  
ABSTRACT**

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Declaration of Jadhav Valitha D/o Somla by the Collector & District Magistrate, Adilabad District vide Procs. Rc.No. C2/1011/2019, dated 29.01.2020 - Appeal filed by Jadhav Valitha D/o Somla R/o Ashepally village of Jainoor Mandal of Kumuram Bheem Asifabad District – Allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No. 14**

**Dated: 01-02-2021  
Read the following:-**

1. G.O. Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Procs.Rc.No C2/1011/2019, dated 29.01.2020 of the Collector & District Magistrate, Kumuram Bheem Asifabad District.
3. Appeal petition filed by Jadhav Valitha D/o Somla R/o Ashepally village of Jainoor Mandal of Kumuram Bheem Asifabad District, dated 21.02.2020.
4. Govt.Memo.No.330/TW.LTR/2020, dated 08.06.2020 & 31.08.2020.
5. Lr.Rc.No.DCOKBA/C2/334/0001/2020 of District Collector, Kumuram Bheem Asifabad.
6. Notice No330/TW.LTR/2020, dated: 28-08-2020.

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**ORDER:**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the District Collector, Kumuram Bheem Asifabad District vide his orders in the reference 2<sup>nd</sup> cited, has issued orders declaring that Jadhav Valitha D/o Somla R/o Ashepally village of Jainoor Mandal of Kumuram Bheem Asifabad District is not a Local Scheduled Tribe as per definition of GO Ms.No.24, TW (LTR.1) Department, dt.12.06.2018, basing on the following findings of the Scrutiny Committee:

- Jadhav Valitha D/o Somla appeared before the Scrutiny Committee on 21.11.2019 and produced revenue records and 1954-55 Khasra Pahani.
- During final hearing on 06.12.2019, the Scrutiny Committee concluded with the following findings:
  - o Applicant has produced the revenue records in different names for the different year.
  - o No records in the name of particular member of family.
  - o 1954-55 Khasra Pahani seems to be tampered.

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- A show cause notice was issued to Jadhav Valitha D/o Somla to attend before the District Collector, Kumuram Bheem Asifabad district on 28-01-2020 to prove her claim as LST with relevant material/documents.
- Accordingly, Jadhav Valitha appeared before the District Collector, Kumuram Bheem Asifabad on 28.01.2020 and submitted evidence of documents as to establishing their continuous residence from 26.01.1950 to till date.
- On verification of the record submitted by her, it is not visible and unauthenticated and also as per Scrutiny Committee report, reveals that she submitted revenue records in different names for different year. Moreover she has not produced any other evidence to prove residence in agency area of her family members and forefathers since 1950. So, in view of observations of the Scrutiny Committee, her claim was rejected.

3. Aggrieved by the above cancellation orders of the Collector & District Magistrate, Kumuram Bheem Asifabad District, the Appellant Jadhav Valitha D/o Somla R/o Ashepally village of Jainoor Mandal of Kumuram Bheem Asifabad District vide ref. 3<sup>rd</sup> read above, has filed an Appeal before the Government. The contentions of Jadhav Valitha D/o Somla as follows:

- She has been selected for Teacher post under Agency Scheduled Tribe Category of Adilabad District and the Select List has been referred to the District Collector, Kumuram Bheem Asifabad to verify genuineness of Local ST status for issuing appointment orders.
- Before agreeing with the findings arrived by the Scrutiny Committee headed by the PO ITDA Utnoor, it is obligatory on the part of the Scrutiny Committee to have conducted enquiry for examination of relevant witnesses i.e. the Local ST certificate issued by the concerned Tahsildar and also the Revenue records issued by the authorities concerned through experts. This particular fact was glossed over by the learned Scrutiny Committee and also by the District Collector, Kumuram Bheem Asifabad and ordered cancellation on 29.01.2020.
- The Tahsildar, Jainoor after ascertaining the facts with circumstances as laid down under Circular Memo.Rc.No.231/2014/TRI/VC-B, dated 25.02.2015, has issued Agency Area Local ST certificate bearing Rc.No.C/362/2018 on 9.8.2018.
- Therefore, once again she has submitted relevant documents with facts showing continuous residence of her fore-fathers in notified agency areas since 26.1.1950 i.e., 1) Khasra Pahani for the year 1950 issued by the Survey and Land Records – copy certified by the Dy.Tahsildar, Utnoor 2) Pahani for the year 1962-63 to till date issued by the Tahsildar, Jainoor 3) Voter list for the years 1951 to 1960, 1971, 1977.
- She further stated that they lived initially in Jamgaon (Limbguda) village and subsequently migrated to Ashepally village which is nearest and boundary village of Jamgaon cultivating lands, grazing cows, goats etc. of other owners and prayed to consider her appeal setting aside orders of the Dist. Collector, Kumuram Bheem Asifabad in Procs.Rc.No.C2/1011/2019, dated 29.01.2020.

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4. The following documents have been submitted along with the Appeal Petition and also during hearing on 05.09.2020.

- i. As per Family Tree duly Notarized:
  - o **Jadhav Lal Singh S/o Bhasu is grandfather of appellant.** He has six sons namely 1) Sakru 2) Lingu 3) Balu **4) Somla (father of appellant)** 5) Bheema and 6) Thukaram.
  - o **Jadhav Somla (father of appellant)** has seven children namely 1) Ramesh (son) 2) Nehrubai (daughter) 3) Ganesh (son) 4) Thara (daughter) 5) Saritha (daughter) 6) Rajesh (son) and **7) Valitha (daughter and appellant).**
- ii. Pahani 1358 Fasli (1948 year) – Ashepally village – name of Lalsingh Naik (grandfather of appellant) was recorded.
- iii. Namuna No.4 – Chowfasla 1358 – Ushegaon village - Ushegaon village - name of Sakru S/o Lalsingh (eldest brother of father of appellant) was recorded for an extent of 25.00 acres in Sy.No.1 PP (Sakru is eldest son of Lalsingh i.e. grandfather of appellant and eldest brother of Somla i.e. father of appellant).
- iv. Pahani 1962-63 – Ashepally village – names of 1) Somla (father of appellant), 2) Bheema (younger brother of father of appellant) and 3) Thukaram (youngest brother of father of appellant) were recorded for an extent of acs.5.00 each.
- v. Pahani 1970-71 – Ashepally village – Jainur Mandal – names of 1) Lingu (elder brother of Somla i.e. father of appellant) and 2) Balu (elder brother of Somla i.e. father of appellant) were recorded.
- vi. Pahani 1973-74 – Ashepally village – name of Lingu (elder brother of Somla i.e. father of appellant) was recorded.
- vii. Pahani 1975-76 – names of Somla (father of appellant) and Balu (elder brother of appellant) were recorded.
- viii. Pahani 1390 Fasli (1980 year) – Ashepally village – Utnoor Taluq - names of 1) Somla (father of appellant) 2) Bheema (younger brother of father of appellant) and 3) Thukaram (youngest brother of father of appellant) were recorded as residents of Ashepally village and holding an extent of 5.00 acres each.
- ix. Pahani 1988-89 – Ashepally village - names of Jadhav Thukaram (youngest brother of father of appellant and 2) Jadhav Bheema (younger brother of father of appellant).
- x. Pahani 1990-91 – Ashepally village – name of Jadhav Somla (father of appellant) was recorded for an extent of acs.2.19 in Sy.No.54/2.

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- xi. Pahani 2000-01 – Ashepally village – Jainur Mandal – names of Jadhav Somla (father of appellant), Jadhav Bheema (younger brother of father of appellant) and Jadhav Thukaram (youngest brother of father of appellant) were recorded in Sy.No.91.
- xii. Pahani 2001 – Ashepally village – Jainur Mandal – name of Jadhav Somla (father of appellant) was recorded for the extents of acs.2.31 and acs.2.19 in Sy.No.54/1 and 54/2.
- xiii. Pahani 2004-05 – Ashepally village – Jainur Mandal – name of Jadhav Somla (father of appellant) was recorded for the extent of acs.2.11 in Sy.No.91/385.
- xiv. Pahani 2007-08 – Ashepally village – Jainur Mandal – name of Jadhav Somla (father of appellant) was recorded in Sy.No.91/385 for an extent of acs.2.11.
- xv. Pahani 2012-13 – Ashepally village – Jainur Mandal – name of Jadhav Somla (father of appellant) was recorded in Sy.No.91/385 for an extent of acs.2.11.
- xvi. Pahani 2016-2017 – Ashepally village – Jainur Mandal – name of Jadhav Somla (father of appellant) was recorded in Sy.No.91/385 for an extent of acs.2.11.
- xvii. Voter list for the year 1971 of 237 Boath Assembly Constituency – Part No.275 – Block No.1-2 – Ashepalli village – names of 1) Maranibai W/o Lalsingh (grandmother of appellant), 2) Balu S/o Lalusingh (elder brother of father of appellant) and his wife 3) Eeribai W/o Balu were recorded at Sl.Nos.475, 476 and 477.
- xviii. Voter list for the year 1977 – 243 Khanapur Assembly Constituency – Part No.120 – Firka: Marlavai – Taluq: Uttoor – village: Ashepalli – Part No.120 – names of 1) Balu S/o Lalsingh (elder brother of father of appellant), 2) Heerabai W/o Balu 3) Linga S/o Lalsingh (elder brother of father of appellant), 3) Somla S/o Lalsingh (father of appellant) were recorded at Sl.Nos.571,572,573 and 574.
- xix. Agency Area Local ST Certificate bearing Rc.No.C/362/2019, dt.09.08.2018 issued by Tahsildar, Jainoor – it was certified that Kum.Jadhav Valitha D/o Jadhav Somla belongs to ST Lambada – ST community and that her parents/grandparents have been continuously residing at Nandunaik thanda H/o Ashepally (v) of Jainoor Mandal since 26.1.1950 which is a notified scheduled village as per Scheduled Area (Part-B States) Order, 1950.
- xx. Copy of Lr.No.RK/623/2019, dt.30.12.2019 of Tahsildar, Boath (M) issued to Smt.Jadhav Valitha D/o Jadhav Somla R/o Ashepally village of Jainoor Mandal – wherein it was informed by the Tahsildar on the application of the individual dt.30.12.2019, that the records i.e. Voter Lists of Ashepally

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village of Jainoor Mandal from 1951 to 1960 are not available in their office record room.

- xxi. Village Elder Declaration (Meghajee Naik S/o Ramu Naik, aged: 85 years, R/o Ashepally) certified by Sarpanch, GP Ashepally and VRO Ashepally – wherein it was stated that the family of Jadhav Valitha D/o J.Somla has been residing continuously in Ashepally village of Jainoor Mandal in KB Asifabad District from more than 50 years.
- xxii. Village Elder Declaration (R.Ramu S/o Roopla, age: 75 years, R/o Ashepally) certified by Sarpanch, GP Ashepally and VRO Ashepally – wherein it was stated that the family of Jadhav Valitha D/o J.Somla has been residing continuously in Ashepally village of Jainoor Mandal in KB Asifabad District from more than 50 years.
- xxiii. Village Elders Declaration of Ashepally village (1) Jadav Kamalabai W/o Devuji, 65 years (2) Kamble Jalba, 68 years and 3) Kamble Venkati S/o Kishan, 59 years – certified by Sarpanch, GP Ashepally and also by the VRO Ashepally village of Jainoor Mandal, KB Asifabad Dist.
- xxiv. Resolution by PESA Gram Sabha in the presence of J.Babji S/o Hemla, 32 years, S.Jugadirao S/o Maru, 37 years, certified by Sarpanch, GP Ashepally and also VRO Ashepally (v) of Jainoor Mandal, KB Asifabad Dist. wherein it was certified that the family of Jadav Valitha D/o Somla has been residing in Ashepally village doing agriculture from before 1950.
- xxv. Resolution dt.10.09.2020 of GP Ashepally, Jainoor Mandal – KB Asifabad Dist. – wherein it was resolved that Sri Lalsingh S/o Bhasu lived in their village from before 1945. He has six sons and five daughters. They used to eke out their livelihood by doing Podu cultivation, cattle-grazing etc. all of them have been living in Ashepally village since their birth. Sri Somla S/o Lalsingh has 3 sons and 4 daughters - all of them have been living in Ashepally village pursuing studies while some of them have been doing agriculture.

5. Vide reference 4<sup>th</sup> read above, the District Collector, Kumuram Bheem Asifabad has been requested to submit connected documents pertaining to the case along with para-wise remarks.

6. Accordingly, vide reference 5<sup>th</sup> read above, the District Collector, Kumuram Bheem Asifabad District has submitted original record of the case along with para wise remarks.

7. Vide reference 6<sup>th</sup> read above, a Notice has been to the Appellant to attend for hearing on 05.09.2020 at 11.00 AM before the Government to prove her claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 05.09.2020 submitted documents in support of her claim that they have been residing in the Agency Area since 26.1.1950.

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8. The documentary evidences amply prove that the appellant Jadhav Valitha D/o Somla and her family members have been continuously living in Ashepally, an agency village in Jainoor Mandal of Kumuran Bheem Asifabad District since 26.1.1950.

9. Government after careful examination of the documents available on record sent by the PO, ITDA, Utnoor, Adilabad District, and documents submitted by the Appellant and along with the Appeal Petition, during hearing on 5.09.2020 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, dated 14.9.2018 it is established that the appellant Jadhav Valitha D/o Somla and her family have been continuously residing in Ashepally an agency village in Jainoor Mandal of Kumuram Bheem Asifabad District.

10. Accordingly, Government hereby set aside orders of the District Collector, Kumuram Bheem Asifabad in Procs.Rc.No.C2/1011/2019, dated 29.01.2020, and allow the Appeal Petition filed by Jadhav Valitha D/o Somla R/o Ashepally village of Jainoor Mandal of Kumuram Bheem Asifabad District and declaring her as Local Scheduled Tribe of Ashepally, an agency village in Jainoor Mandal of Kumuram Bheem Asifabad District and also her Agency Area Local ST Certificate bearing No. C/362/2019, dt.09.08.2018 is treated as valid.

11. The Collector & District Magistrate, Kumuram Bheem Asifabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr.CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To  
The Collector & District Magistrate, Kumuram Bheem Asifabad District.  
Jadhav Valitha D/o Somla R/o Ashepally village of Jainoor Mandal of  
Kumuram Bheem Asifabad District

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Project Officer, ITDA, Utnoor, Adilabad District (for information & necessary action)
3. The District Educational Officer, Adilabad (for information & necessary action)
4. The District Educational Officer, Kumuram Bheem Asifabad District (for information & necessary action)
5. The PS to Hon'ble Minister for ST Welfare for information.
6. The PS to Secretary (TW)
7. The PS to Special Secretary (TW)
8. SF/SC.

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER.**